

## DETAILED ACTION

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jonathan M. Harris (Reg. No. 44,144) on 1/14/2008.

The application has been amended as follows:

In claim 1,

Line 1, **delete** processor-based

Line 2: **before** selecting **insert** a processor which performs the following:

In claim 3,

Line 1, **delete** of claim 2 **insert** of claim 1

In claim 4,

Line 1, **delete** of claim 2 **insert** of claim 1

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

Claims 1, 3-18, 22-24 and 29-30 are allowable over the prior art of record. The closest prior art of record Zheng et al. ('K-Harmonic Means - A Data Clustering Algorithm, HP Laboratories Palo Alto, October, 1999) ('Zheng' hereinafter), teaches clustering methods using the k-harmonic means algorithm which uses harmonic averages of the distances from each data point to the centers as components to a performance function, however it fails to teach determination of distances between data points correlated with a set number of selected functions and regressing and calculating difference values, these limitations being indicated in claim 1 as "selecting a set number of functions", "determining distances between data points of the dataset and values correlated with the set number of functions", "repeating and regressing", "calculating a difference of harmonic averages for the distances", in claim 9 as "selecting a set number of functions correlating variable parameters of a dataset; determining distances between datapoints of the dataset and values correlated with the set number of functions; calculating harmonic averages for the distances; regressing", in claim 15 as "determining distances between data points of the dataset and values correlated with a set number of functions, regressing", "calculating a difference of harmonic averages for the distances", in claim 18 as "selecting a set number of functions correlating variable parameters of a dataset, determining distances between data points of the dataset and values correlated with the set number of functions, regressing", "calculating a difference of harmonic averages for the distances", in claim 24 as "regressively clustered

Art Unit: 2168

datasets”, “calculate common coefficient vectors which balance variations between functions correlating similar variable parameters of regressively clustered datasets; compute a residual error from the common coefficient vectors”, and in claim 28 as “determining distances between data points of each dataset and values correlated with a set number of functions, regressing”, “calculating a difference of harmonic averages for distances”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tim T. Vo/  
Supervisory Patent Examiner, Art Unit 2168

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